

DOC # 0710965
10/11/2007 02:07 PM Deputy: GB

OFFICIAL RECORD

Requested By:

MARQUIS TITLE & ESCROW INC

Assessor's Parcel No.: 1310-26-101-005

Recording Requested by:
Marquis Title & Escrow, Inc.
1520 U.S. Highway 395 North
Gardnerville, NV 89410

Douglas County - NV
Werner Christen - Recorder

Page: 1 OF 7 Fee: 20.00
BK-1007 PG- 3230 RPIT: 0.00



Escrow Number: 272025

TITLE OF DOCUMENT: MODIFICATION OF DEED OF TRUST

THIS DOCUMENT IS BEING RE-RECORDED
TO INCLUDE LENDER NOTARLY
ACKNOWLEDGEMENT.

OFFICIAL RECORD
Requested By:
MARQUIS TITLE & ESCROW

The undersigned hereby affirms that this document submitted for recording does not contain a Social Security Number.

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 6 Fee: 19.00
BK-0707 PG- 7801 RPTT: 0 00

Assessor Parcel No(s): 1318-26-101-005

RECORDATION REQUESTED BY:
COLONIAL BANK, N.A.; Stateline Office; 229 Kingsbury Grade; Stateline, NV 89449

WHEN RECORDED MAIL TO:
COLONIAL BANK, N.A.; Stateline Office; 229 Kingsbury Grade; Stateline, NV 89449

SEND TAX NOTICES TO:
GARDNER ENTERPRISES, LLC; P. O. Box 2194; Stateline, NV 89449

MARQUIS #272025

FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated July 13, 2007, is made and executed between GARDNER ENTERPRISES, LLC, a Nevada limited liability company whose address is P. O. Box 2194, Stateline, NV 89449 ("Grantor") and COLONIAL BANK, N.A., whose address is Stateline Office, 229 Kingsbury Grade, Stateline, NV 89449 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated June 11, 1999 (the "Deed of Trust") which has been recorded in Douglas County, State of Nevada, as follows:

Recorded June 11, 1999 as Document No. 470135 in the office of the County Recorder of Douglas County, State of Nevada.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Douglas County, State of Nevada:

Being a Portion of North 1/2 of Northwest 1/4 of Section 26, Township 13 North, Range 18 East, M. D. B. & M. described as follows: Parcel No. 1 according to that certain Parcel Map recorded on February 10, 1978 as Document No. 17578 in Book 278 at Page 591, Official Records of Douglas County, Nevada Being a Portion of North 1/2 of Northwest 1/4 of Section 26, Township 13 North, Range 18 East, M. D. B. & M. described as follows:

The Real Property or its address is commonly known as 225 and 227 Kingsbury Grade, Stateline, NV 89449. The Real Property tax identification number is 1318-26-101-005.

MODIFICATION. Lender and Grantor hereby modify the Deed of Trust as follows:

EFFECTIVE JULY 13, 2007: The original obligation as evidenced by Promissory Note dated January 10, 2003 in the amount of \$673,836.17 is hereby increased to \$725,000.00, resulting in a Change In Terms Agreement dated July 13, 2007. The additional advance of funds is evidenced by this Modification of Deed of Trust and a Change In Terms Agreement which have been executed and delivered to the Lender by Grantor.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of



**MODIFICATION OF DEED OF TRUST
(Continued)**

Loan No: 11604158

Page 2

Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED JULY 13, 2007.

GRANTOR:

GARDNER ENTERPRISES, LLC

By: Richard D. Gardner
RICHARD D. GARDNER, Member of GARDNER
ENTERPRISES, LLC

By: Nancy N. Gardner
NANCY N. GARDNER, Member of GARDNER
ENTERPRISES, LLC

By: Richard K. Gardner
RICHARD K. GARDNER, Member of GARDNER
ENTERPRISES, LLC



BK- 1007
PG- 3232
0710965 Page: 3 Of 7 10/11/2007



BK- 0707
PG- 7802
0705896 Page: 2 Of 6 07/20/2007

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 11604158

Page 3

LENDER:

COLONIAL BANK, N.A.

X Craig B. Schorr
Authorized Officer CRAIG B. SCHORR


LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF NEVADA

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) SS
)

COUNTY OF DOUGLAS

This instrument was acknowledged before me on July 17, 2007 by RICHARD D. GARDNER, Member of GARDNER ENTERPRISES, LLC, as designated agent of GARDNER ENTERPRISES, LLC.

 STEPHEN M. ATKINSON
Notary Public - State of Nevada
Appointment Recorded in Douglas County
No: 90-2113-5 - Expires October 27, 2007

(Seal, if any)

[Signature]
(Signature of notarial officer)
Notary Public in and for State of NV

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 11604158

Page 4

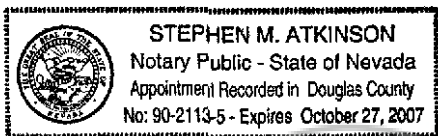
LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF NEVADA

COUNTY OF DOUGLAS

)
) SS
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This instrument was acknowledged before me on July 17, 2007 by NANCY N. GARDNER, Member of GARDNER ENTERPRISES, LLC, as designated agent of GARDNER ENTERPRISES, LLC.



(Seal, if any)

(Signature of notarial officer)

Notary Public in and for State of NV

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 11604158

Page 5

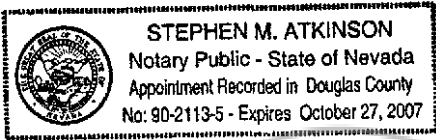
LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF NEVADA

COUNTY OF DOUGLAS

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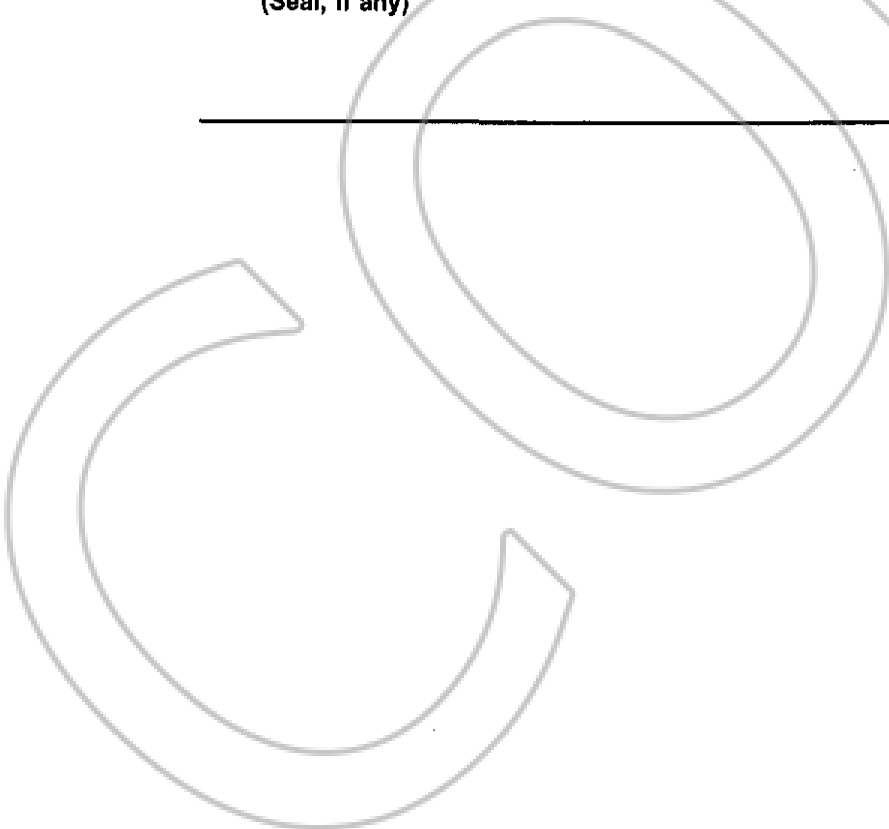
This instrument was acknowledged before me on July 17, 2007 by RICHARD K. GARDNER, Member of GARDNER ENTERPRISES, LLC, as designated agent of GARDNER ENTERPRISES, LLC.



(Seal, if any)

[Signature]
(Signature of notarial officer)

Notary Public in and for State of NV



0710965 Page: 6 Of 7 10/11/2007

BK- 1007
PG- 3235



0705896 Page: 5 Of 6 07/20/2007

BK- 0707
PG- 7805

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 11604158

Page 6

LENDER ACKNOWLEDGMENT

STATE OF NEVADA


COUNTY OF DOUGLAS

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) SS
)


This instrument was acknowledged before me on JULY 17, 2007 by CRAIG B SCHORR as designated agent of COLONIAL BANK

[Signature]
(Signature of notarial officer)


Notary Public in and for State of NEV.


 STEPHEN M. ATKINSON
Notary Public - State of Nevada
Appointment Recorded in Douglas County
No: 90-2113-5 - Expires October 27, 2007

(Seal, if any)

 STEPHEN M. ATKINSON
Notary Public - State of Nevada
Appointment Recorded in Douglas County
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 BK- 1007
PG- 3236
0710965 Page: 7 Of 7 10/11/2007

 BK- 0707
PG- 7806
0705896 Page: 6 Of 6 07/20/2007